

COMMISSION HEARING OFFICER DIRECTIVE

ADMINISTRATIVE
MATTERS

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DATE

July 31, 2009

MOTOR CARRIER
MATTERS

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DOCKET
NO.

1997-239-C

UTILITIES MATTERS

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ORDER NO.

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**HEARING
OFFICER:**

David Butler

DOCKET DESCRIPTION:

Proceeding to Establish Guidelines for an Intrastate Universal Service Fund (USF)

ADMINISTRATIVE MATTERS UNDER CONSIDERATION:

As the result of the July 6, 2009 status conference, request for the establishment of a new Docket for the consideration of the issue of whether basic local service should receive State Universal Service support when it is included in a bundled service offering or contract offering. Determination of who the parties are in the new Docket, if established, and how other entities might participate. Determination of whether parties should file "position statements." Establishment of a hearing date and prefiling deadlines for testimony and exhibits.

HEARING OFFICER ACTION:

After due consideration, it is the opinion of the Hearing Officer and I so find that a new Docket should be established, solely for the purpose of having the Commission examine the issue of whether basic local service should receive State Universal Service support when it is included in a bundled service offering or contract offering. All parties represented at the Status Conference held at the Commission on Monday, July 6, 2009, either in person or by telephone, shall be considered parties of record in the new Docket. These are the Office of Regulatory Staff, the South Carolina Cable Television Association, Competitive Carriers of the South, Incorporated, tw telecom of South Carolina, llc, BellSouth Telecommunications Incorporated d/b/a AT&T South Carolina, Verizon South, Incorporated, Verizon Communications, Incorporated, Sprint Communications Company, L.P., Sprint Nextel Corporation, United Telephone Company of the Carolinas, LLC d/b/a Embarq, the South Carolina Telephone Coalition, the Cellco Partnership d/b/a Verizon Wireless, NuVox Communications, Incorporated, and Windstream South Carolina, Incorporated. All other parties of record in Docket No. 1997-239-C shall receive a copy of this directive and be given an opportunity to participate in the new Docket. A public notice of the new Docket shall also be issued, giving other persons or companies the opportunity to participate in the Docket.

Those specific entities named as parties in this directive shall state and file their position on the issue in the new Docket in writing or electronically with the Commission within ten (10) days of the date of receipt of notice from the Commission of the establishment of the new Docket, and shall serve their position on all established parties to the Docket. The remaining parties in Docket No. 1997-239-C who wish to participate in the new Docket shall file a letter with the Commission

indicating their desire to participate, and stating their position on the issue in the new Docket. These parties shall also serve copies of said letters on all parties to the new Docket. These functions shall be performed within ten (10) days of the date of receipt of notice from the Commission of the establishment of the new Docket. New intervenors shall file a Petition to Intervene in the new Docket, pursuant to the requirements of 26 S.C. Code Ann. Regs. 103-825 (A) (3) (Supp. 2008) and the terms stated in the notice.

A hearing on the issue in the new Docket, i.e. whether basic local service should receive Universal Service Fund support when it is included in a bundled service offering or contract offering, will be set for Friday, November 20, 2009 at 10:30 AM before the Commission in the Commission hearing room. Accordingly, the due dates for the prefiling and serving of testimony and exhibits shall be as follows:

Direct Testimony: October 9, 2009

Reply Testimony: October 23, 2009 (Testimony and exhibits must be in the offices of the Commission and in the hands of the parties on this date; and

Surreply testimony: November 6, 2009 (Testimony and exhibits must be in the offices of the Commission and in the hands of the parties on this date.)

The last date is intended to allow replies to the Reply testimony.

This completes the Directive.